

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

CENTEX HOMES dba CENTEX REAL ESTATE CORPORATION, a Nevada general partnership; CENTEX CONSTRUCTION OF NEW MEXICO, LLC, a foreign limited liability company; PULTE DEVELOPMENT NEW MEXICO, INC., a Michigan corporation,,

Plaintiffs,

v.

PELEUS INSURANCE COMPANY, a Virginia corporation; CENTRAL MUTUAL INSURANCE COMPANY, an Ohio corporation; HDI GLOBAL SPECIALTY SE fka INTERNATIONAL INSURANCE OF HANNOVER, a New York corporation; SENTINEL INSURANCE COMPANY, LTD, a Connecticut corporation; COLORADO CASUALTY COMPANY, a New Hampshire corporation; THE CINCINNATI INSURANCE COMPANY, an Ohio corporation; THE CINCINNATI CASUALTY COMPANY, an Ohio corporation; DONEGAL MUTUAL INSURANCE COMPANY fka MOUNTAIN STATES MUTUAL CASUALTY COMPANY, a Pennsylvania corporation; HARTFORD CASUALTY INSURANCE COMPANY, a New Jersey corporation; CLARENDON NATIONAL INSURANCE COMPANY, as successor in interest by way of merger with Sussex Insurance Company fka as Companion Property and Casualty Insurance Company, a Texas corporation; FIRST MERCURY INSURANCE COMPANY, a Delaware corporation; CENTURY SURETY COMPANY, an Ohio corporation; UNITED SPECIALTY INSURANCE COMPANY, a Delaware corporation; KNIGHT SPECIALTY INSURANCE COMPANY, a Delaware corporation; GEMINI INSURANCE COMPANY, a Delaware corporation; WESTFIELD INSURANCE COMPANY, an

Case No. 1:22-cv-00037-KWR-KK

The Hon. Kea W. Riggs

**ORDER GRANTING STIPULATION TO DISMISS PLAINTIFFS' CLAIMS AGAINST DEFENDANTS CINCINNATI INSURANCE COMPANY AND THE CINCINNATI CASUALTY COMPANY (ECF 179)**

Ohio corporation; NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, a Pennsylvania corporation; STARR INDEMNITY & LIABILITY COMPANY, a Texas corporation; STARR SURPLUS LINES INSURANCE COMPANY, a Texas corporation; ENDURANCE AMERICAN INSURANCE COMPANY, a Delaware corporation; OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania corporation; OHIO SECURITY INSURANCE COMPANY, a New Hampshire corporation; UNION STANDARD INSURANCE COMPANY, a Texas corporation; BITCO GENERAL INSURANCE CORPORATION fka BITUMINOUS CASUALTY CORP., an Iowa corporation,

Defendants.

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AND RELATED COUNTER-CLAIMS

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**ORDER GRANTING STIPULATION TO DISMISS PLAINTIFFS' CLAIMS AGAINST DEFENDANTS CINCINNATI INSURANCE COMPANY AND THE CINCINNATI CASUALTY COMPANY (ECF 179)**

**PURSUANT TO** *the Stipulation to Dismiss Plaintiffs' Claims Against Defendants Cincinnati Insurance Company and The Cincinnati Casualty Company (ECF 1)*, filed on **January 23, 2023** (ECF 179),

**IT IS HEREBY ORDERED** that Plaintiffs' claims against Defendants Cincinnati Insurance Company and The Cincinnati Casualty Company, in the instant matter, Case No. 1:22-cv-00037-KWR-KK, are **DISMISSED WITH PREJUDICE**. Each party shall bear their own attorneys' fees and costs.

**IT IS SO ORDERED.**

**DATED: January 23, 2023 (01/23/2023)**



KEA W. RIGGS  
UNITED STATES DISTRICT JUDGE

**RESPECTFULLY SUBMITTED BY:**

PAYNE & FEARS LLP

By: /s/ Sarah J. Odia

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